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20 Co-Lead and Interim Class Counsel

21 [Additional counsel appear on signature page.]

22 UNITED STATES DISTRICT COURT
23 NORTHERN DISTRICT OF CALIFORNIA
24 SAN JOSE DIVISION

25 In re CONSECO INSURANCE CO.
26 ANNUITY MARKETING & SALES
27 PRACTICES LITIG.

) Master File No. C-05-04726-RMW
) And Related Cases

) CLASS ACTION

28 This Document Relates To:

ALL ACTIONS.

) STIPULATION AND ~~PROPOSED~~ ORDER TO
) EXTEND TIME TO FILE SECOND AMENDED
) CONSOLIDATED CLASS ACTION
) COMPLAINT

1 WHEREAS, on February 12, 2007, the Court entered an Order Granting in Part and
2 Denying in Part Defendant's Motion to Dismiss (the "Order").

3 WHEREAS, with respect to the claims dismissed, the Court's Order grants Plaintiffs the
4 right to amend their complaint.

5 WHEREAS, on March 9, 2007, the Court entered a Stipulation and Order re Amended
6 Complaint and Class Certification Briefing Schedule, which set March 29, 2007, as the date for
7 filing by Plaintiffs of any Second Amended Consolidated Class Action Complaint.

8 WHEREAS, in accordance with Local Rule 6.2, the Parties have filed two prior
9 stipulations to briefly extend the time for filing Plaintiffs' Second Amended Consolidated Class
10 Action Complaint.

11 WHEREAS, in accordance with Local Rule 6.2, Plaintiffs have requested a brief
12 additional extension of time to permit Plaintiffs' counsel to confer and coordinate their efforts
13 with respect to the foregoing. The Parties agree that good cause exists for the extension of time.
14 The requested extension does not cause any significant delay to the proceedings in this litigation.

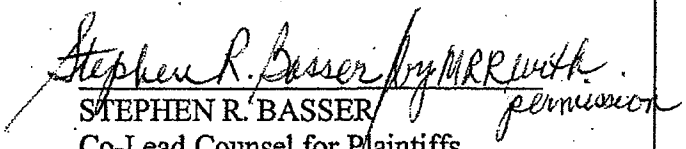
15 The Parties hereto, through the respective attorneys of record, stipulate and request the
16 Court to enter an order setting the following schedule concerning Plaintiffs' filing of any
17 amended complaint in accordance with the Court's Order and any subsequent motion to dismiss
18 filed by Defendant:

19 Plaintiffs' Second Amended Class Action Complaint due: April 27, 2007; and

20 Defendant's Motion to Dismiss Plaintiffs' Second Amended Complaint due: June 11, 2007.


21
22 DATED: April 17, 2007

BARRACK, RODOS & BACINE

23
24 
25 STEPHEN R. BASSER
26 Co-Lead Counsel for Plaintiffs
27
28


1 DATED: April 19, 2007

LERACH COUGHLIN STOIA GELLER
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3 PHONG L. TRAN
4 Co-Lead Counsel for Plaintiffs

5 DATED: April 17, 2007

BAKER & MCKENZIE LLP
REED SMITH LLP

6 
7
8 ROBERT D. PHILLIPS, JR.
9 LINDA B. OLIVER
Counsel for Defendant

10 * * *

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12 The Case Management Conference Order is adjusted in accordance with the above
13 stipulation, IT IS SO ORDERED.

14 DATED: 4/26/07

/s/ Ronald M. Whyte

15 THE HONORABLE RONALD M. WHYTE
16 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 18, 2007.

s/ PHONG L. TRAN

PHONG L. TRAN

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Manual Notice List

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